

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of : Masahiro OGAWA *et al.* Confirmation No. 6520
Group Art Unit : (To Be Assigned)
Application No. : 10/589,333
Examiner : (To Be Assigned)
Filed : August 14, 2006
Docket No. : 960/216
For : BRAYTON CYCLE DEVICE AND EXHAUST HEAT ENERGY RECOVERY DEVICE FOR INTERNAL COMBUSTION ENGINE

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS

COMMISSIONER FOR PATENTS
Customer Service Window
Randolph Bldg.
401 Dulany Street
Alexandria, VA 22314

Sir:

In response to the Notification of Missing Requirements mailed May 25, 2007 (copy attached), submitted herewith are copies of: 1) postcard receipt dated November 30, 2006; 2) Submission of Declaration/Power of Attorney – No Notice of Missing Requirements Received; and 3) Declaration and Power of Attorney for Patent Application papers. The papers were filed November 30, 2006. Therefore, it is believed that the Notification of Missing Requirements was issued in error and no fee is due at this time.

Additionally, the alleged surcharge for late submission of the declaration (\$130.00) was charged on May 24, 2007, by the Patent Office, to Deposit Account 11-0600.

07/27/2007 MKAYPAGH 00000008 110600 10589333

Respectfully submitted,

01 FC:1617 130.00 DA
02 FC:1614 200.00 DA

Date: July 25, 2007

Daniel G. Shanley
Daniel G. Shanley
(Reg. No. 54,863)

KENYON & KENYON LLP
1500 K Street, N.W.
Washington, D.C. 20005
Telephone: (202) 220-4200
Facsimile: (202) 220-4201



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/589,333	Masahiro Ogawa	960/216
INTERNATIONAL APPLICATION NO.		PCT/JP05/01299
I.A. FILING DATE		PRIORITY DATE
01/25/2005		02/20/2004
CONFIRMATION NO. 6520		
371 FORMALITIES LETTER		
 OC000000024057904		

Date Mailed: 05/25/2007

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 08/14/2006
- Copy of the International Search Report filed on 08/14/2006
- Copy of IPE Report filed on 08/14/2006
- Preliminary Amendments filed on 08/14/2006
- Information Disclosure Statements filed on 08/14/2006
- Request for Immediate Examination filed on 08/14/2006
- U.S. Basic National Fees filed on 08/14/2006
- Substitute Specification filed on 08/14/2006
- Priority Documents filed on 08/14/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Additional claim fees of \$200 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- Surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 was not received in full.

ENTERED
b6 b7d

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$330 for a Large Entity:

- **\$130 Surcharge.**
- Total additional claim fee(s) for this application is \$ 200
 - \$200 for 1 independent claims over 3.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at **1-866-217-9197** or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

MAMIE P PERSON

Telephone: (703) 308-9140 EXT 227

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/589,333	PCT/JP05/01299	960/216

FORM PCT/DO/EO/905 (371 Formalities Notice)

The stamp of the Patent Office hereon may be taken as acknowledging the receipt, on the date stamped, of

INVENTOR(S) : Masahiro OGAWA, et al.
SERIAL NO. : 10/589,333
FILED : 14 August 2006

Enclosed:

- 1) DECLARATION/POWER OF ATTORNEY
- 2) TRANSMITTAL LETTER, CHARGE ACCOUNT \$130.00
- 3) ASSIGNMENT
- 4) RECORDATION FORM COVER SHEET, CHARGE ACCOUNT \$40.00



WEC/is

960/216

11/30/06

PATENT
Docket No.: 960/216

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS : Masahiro OGAWA, et al.
SERIAL NO. : 10/589,333
FILED : 14 August 2006
FOR : BRAYTON CYCLE DEVICE AND EXHAUST HEAT ENERGY RECOVERY DEVICE FOR INTERNAL COMBUSTION ENGINE
GROUP ART UNIT : (Unassigned)
EXAMINER : (Unassigned)

COMMISSIONER FOR PATENTS
Customer Service Window
Randolph Bldg.
401 Dulany Street
Alexandria, VA 22314

SUBMISSION OF DECLARATION/POWER OF ATTORNEY – NO NOTICE OF MISSING REQUIREMENTS RECEIVED

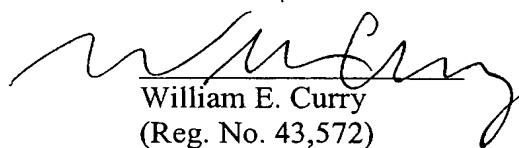
SIR:

While no Notice of Missing Requirements was received in this case, submitted herewith is a copy of the executed Declaration/Power of Attorney.

Please charge Deposit Account No. 11-0600 in the amount of \$130.00 to cover the surcharge under 37 CFR 1.16(f) for late filing of this document. A copy of this sheet is enclosed for that purpose.

Respectfully submitted,

Dated: 30 November 2006



William E. Curry
(Reg. No. 43,572)

KENYON & KENYON LLP
1500 K Street, N.W., Suite 700
Washington, D.C. 20005

Tel: (202) 220-4200
Fax: (202) 220-4201